

challenging the jurisdiction of this Court (Docs. 271 and 272) also raise many of these issues, to which the United States has already responded.

Defendant's motions (Docs. 280, 282, 284 and 285), together with their supporting briefs, (Docs. 281 and 283), largely rehash frivolous arguments that Defendant has previously made. The United States previously addressed these assertions in Docs. 42, 71, 80, 93, 276 and 277. However, the United States stands ready to file supplemental responses should the Court determine that such responses would be of assistance to the Court.

Respectfully submitted,

THOMAS SCOTT WOODWARD
UNITED STATES ATTORNEY

/s/ Kenneth P. Snoke

KENNETH P. SNOKE, OBA NO. 8437

Assistant United States Attorney

CHARLES A. O'REILLY, CBA NO. 160980

Special Assistant United States Attorney

110 West Seventh Street, Suite 300

Tulsa, Oklahoma 74119

(918) 382-2700

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of January, 2010, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Lindsey K. Springer, Defendant

Oscar A. Stilley, Defendant

Robert Williams

Standby Counsel assigned to Lindsey Kent Springer

Charles Robert Burton, IV

Standby Counsel assigned to Oscar Amos Stilley

/s/ Kenneth P. Snoke

Assistant United States Attorney

E X H I B I T

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IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LINDSEY KENT SPRINGER, *et al.*,

Defendants.

Case No. 08-cv-0278-TCK-PJC

UNITED STATES' RESPONSE TO MOTION FOR CONFESSION OF JUDGMENT

Judgment was entered in this action against Lindsey K. Springer and in favor of the United States on March 16, 2010. The judgment was affirmed by the Tenth Circuit on June 23, 2011, and on or around June 4, 2012, the Supreme Court denied Springer's Petition for Writ of Certiorari. Springer filed a Motion to Void Judgment on November 27, 2013, and when the United States did not respond filed a Motion for Confession of Judgment on January 15.

Springer asks that the Court exercise its discretion under Local Rule 7.2(f) and void the judgment due to the Government's failure to respond to his November 27 motion. Good cause exists for the failure to respond. This case was litigated by Civil Central Trial Section, United States Department of Justice, Tax Division. Having completed litigation, the Section closed its files on the matter in July 2013 (about a year after the denial of Springer's certiorari petition). James Strong, one of the two attorneys who was assigned the case is no longer with the Justice Department. The other attorney, Robert Metcalfe, is no longer working in the Central Trial Section. Thus, no attorney assigned the matter in the Tax Division received ECF notice when Springer filed his Motion to Void Judgment. In the interest of justice, the United States requests that the Court excuse its failure to timely respond to the Motion to Void Judgment.

With respect to the merits of Springer's motion, Springer claims that the judgment should be deemed void because Thomas Scott Woodward was somehow not a legitimate United States Attorney during the period the various levels of federal courts were ruling against him. In June 2009, Woodward was the First Assistant U.S. Attorney for the Northern District of Oklahoma. When David O'Meilia resigned as the United States Attorney for the Northern District of Oklahoma on June 28, 2009, Woodward became acting United States Attorney pursuant to 5 U.S.C. § 3345(a)(1), which provides that if an officer of an Executive agency whose appointment is required to be made by the President, such as a U.S. Attorney, resigns, "the first assistant to the office of such officer shall perform the functions and duties of the office temporarily in an acting capacity subject to the time limitations of section 3346." Section 3346, Title 5, imposes a 210-day limit on persons serving in such capacity.¹

At the end of the 210-day period, on January 25, 2010, the Attorney General appointed Woodward as United States Attorney under 28 U.S.C. § 546(a).² There is a 120-day limit for persons appointed as a U.S. Attorney by the Attorney General. 28 U.S.C. § 546(c)(2). On May 25, 2010, at the end of the 120-day period, the Chief Judge of the Northern District of Oklahoma appointed Woodward United States Attorney in accordance with 28 U.S.C. § 546(d).³

¹ Filed herewith as Exhibit A to the Declaration of undersigned counsel, is a "Notification of Personnel Action" form that shows Woodward as being First Assistant United States Attorney at least as early as March 3, 2009.

² Filed herewith as Exhibit B is Woodward's "Appointment Affidavit" with respect to the January 25, 2010, appointment.

³ Filed herewith as Exhibit C is a copy of the "Order of Appointment" and "Appointment Affidavit" both signed on May 24, 2010, and made effective May 25, 2010.

Woodward remained U.S. Attorney until the present United States Attorney, Danny Williams, was confirmed by the Senate and took the oath of office in August 2012.

At all times while serving as the United States Attorney between June 28, 2009, and August 2012, Woodward was vested with the full powers and authority of a United States Attorney. *See, generally, United States v. Baldwin*, 541 F. Supp.2d 1184 (D.N.M. 2008) (detailed discussion of history and authority of non-Presidential appointed U.S. Attorneys). Congress put into place a statutory framework that allows the U.S. Attorney position to be filled in the absence of a person appointed by the President. *See* 5 U.S.C. § 3345 and 28 U.S.C § 546. That law was followed in the instant situation. Springer's argument to the contrary is unfounded and not a basis to void the judgment.

In any event, "[a]n infirmity in the United States' Attorney's appointment would not generally affect the jurisdiction of this court so long as a proper representative of the government participated in the action." *United States v. Gantt*, 194 F.3d 987, 998 (9th Cir. 1999); *United States v. Baker*, 504 F. Supp.2d 402, 407 (E.D. Ark. 2007) (government counsel defects do not affect jurisdiction). The chief attorneys representing the United States in this present action were Tax Division attorneys Metcalfe and Strong. Springer does not question their authority or the propriety of their appearances.

Springer's motion should be denied.

//

//

Respectfully submitted,

DANNY C. WILLIAMS
United States Attorney

/s/ Martin M. Shoemaker
MARTIN M. SHOEMAKER
U.S. Dept. of Justice, Tax Division
P.O. Box 7238
Washington, D.C. 20044
202-514-6491 (v)
202-514-6770 (f)
Martin.M.Shoemaker@tax.usdoj.gov

Certificate of Service

I hereby certify that on this 17th day of January 2014, I electronically filed the foregoing United States' Response to Motion for Confession of Judgment with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following: all counsel of record.

I further certify that on this 17th day of January 2014, I served the same document by U.S. Postal Service on the following non-CM/ECF participants:

Lindsey K. Springer
Reg. # 02580-063
Federal Satellite Low
P.O. Box 6000
Anthony, NM 88021

/s/ Martin M. Shoemaker

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08-cv-0278-TCK-PJC
)	
LINDSEY KENT SPRINGER, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DECLARATION OF MARTIN M. SHOEMAKER

1. I am a trial attorney with the United States Department of Justice, Tax Division, CTS-Central Section, with an office in Washington, D.C. I am the attorney assigned to represent the United States in the above-captioned action.

2. Attached hereto as Exhibits A, B, and C are documents obtained from the United States Attorney's Office for the Northern District of Oklahoma to be used in this matter.

3. Exhibit A is a copy of a "Notification of Personnel Action" form pertaining to Thomas Scott Woodward. (Exhibit A has been redacted for privacy reasons.)

4. Exhibit B is a copy of an "Appointment Affidavit" signed on January 22, 2010, by Thomas Scott Woodward.

5. Exhibit C consists of two pages. The first page is a copy of the "Order of Appointment" issued by the United States District Court for the Northern District of Oklahoma filed May 24, 2010, in which Thomas Scott Woodward is appointed United States Attorney pursuant to 28 U.S.C. § 546(d). The second page is a copy of an "Appointment Affidavit" signed on May 25, 2010, by Thomas Scott Woodward.

//

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 17, 2014, in Washington, D.C.

/s/ Martin M. Shoemaker
MARTIN M. SHOEMAKER

Standard Form 50-B
Rev. 7/91
U.S. Office of Personnel Management
FPM Supp. 298-33, Subch. 4

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) WOODWARD, THOMAS SCOTT				2. Social Security Number - redacted - 5		3. Date of Birth - redacted - 9		4. Effective Date 10/05/09	
FIRST ACTION				SECOND ACTION					
5-A. Code 769				5-B. Nature of Action EXT OF PROMOTION NTE 10/04/13					
5-C. Code ZLM				5-D. Legal Authority 28 USC 548					
5-E. Code				5-F. Legal Authority					
7. FROM: Position Title and Number				15. TO: Position Title and Number FIRST ASST U.S. ATTY 620001 P15AA1					
9. Pay Plan		10. Grade/Level		11. Step/Rate		12. Total Salary		13. Pay Basis	
12A. Basic Pay		12B. Locality Adj.		12C. Adj. Basic Pay		12D. Other Pay		12E. Total Pay	
14. Name and Location of Position's Organization				22. Name and Location of Position's Organization OKLAHOMA, NORTHERN					
				24. Tenure 1 0-None 1-Permanent 2-Conditional 3-Indefinite					
				25. Agency Use					
				26. Veterans Preference for RIF YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>					
27. FEGLI CS				28. Annuitant Indicator 9 NOT APPLICABLE					
29. Retirement Plan CS				30. Work Schedule F FULL TIME					
31. Service Comp Date (Leav)				32. Part-Time Hours Per Biweekly Pay Period					
08/23/82									
34. Position Occupied 2 1-Competitive Service 2-Exempted Service 3-SES General 4-SES Career Reserved				35. FLSA Category E E-Exempt N-Nonexempt					
36. Duty Station Code 40-4780-143				37. Bargaining Unit Status 8888					
38. Agency Code DJ JA				39. Duty Station (City - County - State or Overseas Location) TULSA TULSA OK					
40. AGENCY DATA				41. SEX: M					
				42. CITIZ: 1					
				43. VET STAT: N					
				44. ED LV: 15 YR: 82 INST PRG: 220101					

45. Remarks
EMPLOYEE HAS BEEN ADVISED THAT ASSIGNMENT TO A SUPERVISORY OR SENIOR LITIGATION COUNSEL POSITION IS TEMPORARY AND THAT ANY RIGHTS TO A HIGHER SUPERVISORY/SENIOR LITIGATION COUNSEL SALARY ACCRUE ONLY SO LONG AS HE/SHE IS AN INCUMBENT OF SUCH A POSITION.



46. Employing Department or Agency U.S. DEPARTMENT OF JUSTICE/USA			50. Signature/Authentication and Title of Approving Official E/S BY: JEAN DUNN HUMAN RESOURCES OFFICER		
47. Agency Code DJ JA	48. Personnel Office ID 4244	49. Approval Date 10/02/09			
TURN OVER FOR IMPORTANT INFORMATION 3-Part 50-315			1 - Employee Copy - Keep for Future Reference		
DJ JA62000000000000000000			PP 20 1*2009*BATCH 42445812 000-00 207-08 AG/EO JA-4244		

Editions Prior to 7/91 Are Not Usable After 5/30/93
NSN 7540-01-333-6237

APPOINTMENT AFFIDAVITS

United States Attorney
(Position to which Appointed)

1-25-2010
(Date Appointed)

Department of Justice
(Department or Agency)

(Bureau or Division)

Tulsa, Oklahoma
(Place of Employment)

I, Thomas Scott Woodward, do solemnly swear (or affirm) that—

A. OATH OF OFFICE

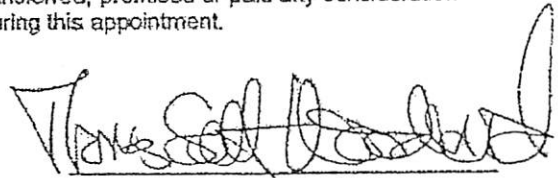
I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO THE PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

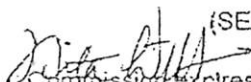

(Signature of Appointee)

Subscribed and sworn (or affirmed) before me this 22 day of January, 2010

at Tulsa
(City)

Oklahoma
(State)


(Signature of Officer)

 (SEAL)
Commission expires 10/11/2011
(If by a Notary Public, the date of his/her Commission should be shown)

Administrative Officer
(Title)

Note - If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Please contact your agency's legal counsel for advice.



Case 4:10-go-00001-CVE Document 4 Filed in USDC ND/OK on 05/24/2010 Page 1 of 1

FILED

MAY 24 2010

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

GO-10-4

IN THE MATTER

OF APPOINTMENT

OF THOMAS SCOTT WOODWARD

AS UNITED STATES ATTORNEY

ORDER OF APPOINTMENT

Pursuant to Title 28, United States Code, Section 546(d), Thomas Scott Woodward is appointed as the United States Attorney for the Northern District of Oklahoma, effective May 25, 2010.

DONE AND ORDERED at Tulsa, Oklahoma, this 24th day of May, 2010.

For the Court:

Claire V. Eagan
The Honorable Claire V. Eagan
Chief Judge
Northern District of Oklahoma

United States District Court
Northern District of Oklahoma } SS
I hereby certify that the foregoing
is a true copy of the original on file
in this court.
By Phil Lombardi, Clerk
Deputy



APPOINTMENT AFFIDAVITS

United States Attorney
(Position to which Appointed)

May 25, 2010
(Date Appointed)

Department of Justice
(Department or Agency)

U.S. Attorney's Office
(Bureau or Division)

Tulsa, Oklahoma
(Place of Employment)

I, Thomas Scott Woodward, do solemnly swear (or affirm) that--

A. OATH OF OFFICE

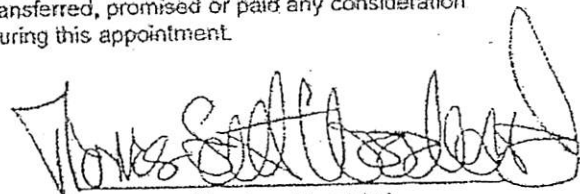
I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO THE PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.



(Signature of Appointee)

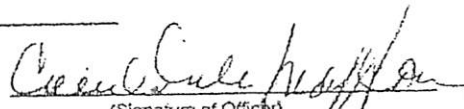
Subscribed and sworn (or affirmed) before me this 25th day of May, 2010

at Tulsa

(City)

Oklahoma

(State)



(Signature of Officer)

(SEAL)

Commission expires: 5/25/11

(If by a Notary Public, the date of expiration Commission should be shown)

Director of Administration

(Title)

Note - If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Please contact your agency's legal counsel for advice.

E X H I B I T

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U.S. Department of Justice

DANNY C. WILLIAMS, SR.
United States Attorney
Northern District of Oklahoma

110 W 7th Street, Suite 300
Tulsa, OK 74119

Telephone: (918) 382-2700
Fax: (918) 560-7949

January 3, 2014

Charles A. O'Reilly
Department of Justice
Tax Division
601 D Street, N.W., Suite 7032
Washington, DC 20530

Dear Mr. O'Reilly:

Your appointment as a Special Assistant United States Attorney for the Northern District of Oklahoma is hereby extended effective the date of this letter, not to exceed January 5, 2015. This extension is subject to the conditions set forth in the original appointment letter. You will continue to serve without compensation. No additional appointment papers are necessary.

Sincerely,

A handwritten signature in black ink that reads "D. C. Williams, Sr." The signature is stylized with a large, looped "D" and a cursive "C." followed by "Williams, Sr." in a more formal script.

DANNY C. WILLIAMS, SR.
UNITED STATES ATTORNEY

E X H I B I T

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U.S. Department of Justice

DANNY C. WILLIAMS, SR.
United States Attorney
Northern District of Oklahoma

110 W 7th Street, Suite 300
Tulsa, OK 74119

Telephone: (918) 382-2700
Fax: (918) 560-7949

January 5, 2016

Charles A. O'Reilly
Department of Justice
Tax Division
601 D Street, N.W., Suite 7032
Washington, DC 20530

Dear Mr. O'Reilly:

Your appointment as a Special Assistant United States Attorney for the Northern District of Oklahoma is hereby extended effective the date of this letter, not to exceed January 5, 2017. This extension is subject to the conditions set forth in the original appointment letter. You will continue to serve without compensation. No additional appointment papers are necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "D. C. Williams, Sr." with a stylized flourish at the end.

DANNY C. WILLIAMS, SR.
UNITED STATES ATTORNEY

EXHIBIT
33



U.S. Department of Justice

DANNY C. WILLIAMS, SR.

United States Attorney

Northern District of Oklahoma

110 W 7th Street, Suite 300
Tulsa, OK 74119

Telephone: (918) 382-2700
Fax: (918) 560-7949

December 21, 2016

Mr. Charles O'Reilly
Department of Justice
Tax Division
601 D Street, N.W., Suite 7032
Washington, DC 20530

Dear Mr. O'Reilly:

Your appointment as a Special Assistant United States Attorney for the Northern District of Oklahoma is hereby extended effective the date of this letter, not to exceed January 5, 2018. This extension is subject to the conditions set forth in the original appointment letter. You will continue to serve without compensation. No additional appointment papers are necessary.

Sincerely,

DANNY C. WILLIAMS, SR.
UNITED STATES ATTORNEY

E X H I B I T

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U.S. Department of Justice

R. TRENT SHORES

United States Attorney

Northern District of Oklahoma

110 West Seventh Street, Suite 300
Tulsa, Oklahoma 74119
r.trent.shores@usdoj.gov

Telephone (918) 382-2700
Fax (918) 560-7954

January 3, 2018

Mr. Charles O'Reilly
Department of Justice
Tax Division
601 D Street, NW, Suite 7032
Washington DC 20530

Dear Mr. O'Reilly:

Your appointment as a Special Assistant United States Attorney for the Northern District of Oklahoma is hereby extended effective the date of this letter, not to exceed January 5, 2020. This extension is subject to the conditions set forth in the original appointment letter. You will continue to serve without compensation. No additional appointment papers are necessary.

Sincerely,

R. TRENT SHORES
UNITED STATES ATTORNEY

E X H I B I T

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UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES ATTORNEY
NORTHERN DISTRICT OF OKLAHOMA

R. TRENT SHORES
UNITED STATES ATTORNEY

110 West Seventh Street, Suite 300 • Tulsa, Oklahoma, 74119 • (918) 382-2700 • www.justice.gov/usao-ndok

March 26, 2018

Charles O'Reilly
Department of Justice
Tax Division
601 D Street, NW, Suite 7032
Washington, DC 20530

Re: Special Assistant United States Attorney Extension

Dear Mr. O'Reilly:

Your appointment as a Special Assistant United States Attorney for the Northern District of Oklahoma is hereby extended effective January 3, 2018, not to exceed January 2, 2020. This extension is subject to the conditions set forth in the original appointment letter under 28 U.S.C. § 543 dated January 5, 2009. You will continue to serve without compensation. No additional appointment papers are necessary.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Shores", written over a horizontal line.

R. TRENT SHORES
UNITED STATES ATTORNEY

E X H I B I T

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U.S. Department of Justice

Tax Division

Washington, D.C. 20533

July 21, 2015

CMB:SNWARD
FOIPA/TAX # 10875

Certified Mail No. 7011 3500 0003 2475 8169
RETURN RECEIPT REQUESTED

Mr. Lindsey Kent Springer
Reg. #02580-063
Federal Satellite Low-La Tuna
P.O. Box 6000
Anthony, NM 88021

Dear Mr. Springer:

This responds to your Freedom of Information Act request dated March 25, 2015. The Tax Division's Freedom of Information Act (FOIA) and Privacy Act (PA) Unit received your request on April 1, 2015; it was perfected on April 1, 2015.

We understand from your request that you seek information about:

- ☐ yourself.
- ☐ a third party taxpayer (individual).
- ☐ a third party taxpayer (entity).
- ☐ the Division's policies or procedures.
- ☒ other. Any documentation pertaining to or showing the authorization and/or appointment of Charles A. O'Reilly, from December 1, 2008 through January 1, 2015.

The Tax Division has determined that 2 page is from its records is responsive to your request. It is released in full and enclosed with this letter.

If you are not satisfied with my response to your request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington,

STANDARD FORM 61
REVISED SEPTEMBER 1970
U.S. CIVIL SERVICE COMMISSION
F.P.M. CHAPTER 295
61-107

OMB APPROVAL NO. 50-R0110

APPOINTMENT AFFIDAVITS

Law Clerk

(Position to which appointed)

¹⁵
November 16, 1992

(Date of appointment)

U.S. Dept. of Justice

(Department or agency)

Tax Division

(Bureau or division)

Washington, DC

(Place of employment)

I, Charles A. O'Reilly, do solemnly swear (or affirm) that—

A. OATH OF OFFICE

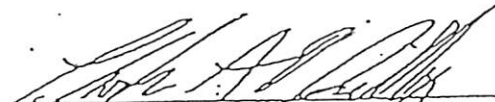
I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

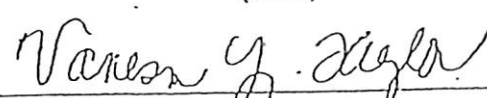

(Signature of appointee)

Subscribed and sworn (or affirmed) before me this 16th day of November A.D. 1992,

at Washington
(City)

DC
(State)

[SEAL]


(Signature of officer)
Personnel Assistant
(Title)

Commission expires _____
(If by a Notary Public, the date of expiration of his Commission should be shown)

NOTE—The oath of office must be administered by a person specified in 5 U.S.C. 2903. The words "So help me God" in the oath and the word "swear" wherever it appears above should be stricken out when the appointee elects to affirm rather than swear to the affidavits; only these words may be stricken and only when the appointee elects to affirm the affidavits.

and Form EO-9
7/81
Office of Personnel Management
Supp. 296-33, Supp. 4

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) REILLY, CHARLES A				2. Social Security Number [REDACTED]		3. Date of Birth [REDACTED]		4. Effective Date 05/02/93	
5. FROM: Position Title and Number FIRST ACTION				6. TO: Position Title and Number TRIAL ATTY (TAX) TAX00007 TAX164					
7. A. Code 570				8. B. Nature of Action CONV TO EXC APPT					
9. C. Code WQM				10. D. Legal Authority SCH A 213-31020					
11. E. Code				12. F. Legal Authority					
13. Pay Plan GS				14. Pay Rate 0905		15. Grade Level [REDACTED]		16. Pay Basis PA	
17. Basic Pay [REDACTED]				18. Locality Adj. [REDACTED]		19. Ad. Base Pay [REDACTED]		20. Cost Pay [REDACTED]	
21. Name and Location of Position's Organization TAX DIVISION CRIMINAL SECTION NORTHERN REGION				22. Name and Location of Position's Organization TAX DIVISION CRIMINAL SECTION NORTHERN REGION					
23. Veterans Preference 1 - None 2 - 5 Point 3 - 10 Point Disability 4 - 10 Point Compensation 5 - 10 Point Other 6 - 10 Point Compensation				24. Tenure 1 - None 2 - Conditional 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF YES NO	
27. FEGLI C BASIC				28. Annuity Indicator 9 NOT APPLICABLE		29. Pay Ratio Determinant 0		30. Retirement Plan K FERS	
31. Service Comp. Date (Leave) 09/14/92				32. Work Schedule F FULL TIME		33. Part-Time Hours Per Biweekly Pay Period		34. Position Occupied 2 1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career Progression	
35. FLSA Category E Except				36. Appropriation Code		37. Bargaining Unit Status 8888		38. Duty Station (City - County - State or Overseas Location) WASHINGTON DIST OF COLUMBIA DC	
39. Duty Station Code 11-0010-001				40. AGENCY DATA 41. SEX: M 42. CITY: I 43. VET STAT: X 44. ED LV: 15 YR: 92 ACAD DISCPL: 10100					
45. Remarks									

46. Employing Department or Agency
U.S. DEPARTMENT OF JUSTICE/HC

47. Agency Code
OJ HC

48. Personnel Office ID
1831

49. Approval Date
06/02/93

50. Signature/Authentication and Date of Approval Official

PERSONNEL STAFF

5-Part 50310

OPF
3 - Payroll Copy

Excluded Prior to 7/01 And Not Usable After 6/30/02
NSN 7540-01-333-0221

OJ HC190602000000000000

PP 10 199308ATCH 18315571 000-00 466-04 AG/EG HC-1831

E X H I B I T

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U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

Suite 5.400, 3CON Building
175 N Street, NE
Washington, DC 20530

(202) 252-6020
FAX (202) 252-6048

September 6, 2018

Lindsey K. Springer
#02580-063
FSC
P.O. Box 9000
Seagoville, TX 75159

Re: Request Number: FOIA-2018-001749 Date of Receipt: January 25, 2018
Subject: AUSA Oath (Charles A. O'Reilly) – EOUSA Personnel

Dear Requester:

In response to your Freedom of Information Act and/or Privacy Act request, the paragraph(s) checked below apply:

1. ☒ A search for records by EOUSA- Personnel has revealed no responsive records regarding the above subject. [EOUSA does not maintain records on former employees. Please see attachment regarding possible location of information you seek in DOJ Tax Division.]
2. ☐ A search for records located in the United States Attorney's Office(s) for the _____ has revealed no responsive records regarding the above specific subjects.
3. ☐ After an extensive search, the records which you have requested cannot be located.
4. ☐ Your records have been destroyed pursuant to Department of Justice guidelines.
5. ☐ Please note that your original letter was split into separate files ("requests"), for processing purposes, based on the nature of what you sought. Each file was given a separate Request Number (listed below), for which you will receive a separate response:

This is the final action on this above-numbered request. If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If

you submit your appeal by mail, both the letter and the envelope should be clearly marked
"Freedom of Information Act Appeal."

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Kevin Krebs
Assistant Director

FOIA

FOIA Contact

Carmen M. Banerjee
Senior Division Counsel for FOIA and PA Matters
Tax Division
Department of Justice
P.O. Box 227
Ben Franklin Station
Washington, DC 20044
(202) 616-3399 (FOIA Servicing Center)
(202) 307-0462 (FOIA Public Liaison)
TaxDiv.FOIAAPA@usdoj.gov

Conventional Reading Room:

Call (202) 616-3399 for access instructions.

FOIA Library:

This includes records created by the Tax Division on or after November 1, 1996 and may include earlier records converted to electronic format.

Component Description:

The Tax Division's chief activity is to represent the Internal Revenue Service in civil and criminal litigation. It also represents other Federal agencies that may have problems with state and local taxing authorities. Consequently, the Tax Division maintains information primarily about civil and criminal tax litigation, either actual or contemplated. This information is stored in files that are indexed in central classification systems under the names of the individuals or entities who are parties to the litigation. In addition, the Tax Division maintains some information relating to various procedures and guidelines for processing tax cases, as well as files on its administrative functions.

General information about making a FOIA request

1. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552) and Department of Justice regulations, any person may request Tax Division records.
2. All FOIA requests must be made in writing, signed, and mailed to the above address. Alternatively, all requests made pursuant to items 2 and 3 may be electronically sent to TaxDiv.FOIAAPA@usdoj.gov. All attachments to e-mail requests must be attached as pdf files.
3. Individuals requesting records about themselves must verify their identity before the Tax Division will process the request. One verification method is to complete DOJ Form 361 (Certificate of Identity) and attach it to the request. Please click [here](#) to download DOJ Form 361.

4. For more information about making FOIA requests, please refer to the [DOJ Reference Guide](#), a comprehensive guide to the FOIA that serves as a handbook for obtaining information from the Department of Justice and to 28 C.F.R. 16.3 ("Requirements for Making Requests").

Information about making a FOIA request to the Tax Division

1. FOIA does not require agencies either to create records or to provide narrative responses to inquiries that do not request records. Therefore, requests should seek only existing Tax Division records that do not fall under a specific disclosure exemption (e.g., classified national security matters, personal privacy material, investigative files, trade secrets, privileged information, etc.). See 5 U.S.C. 552(b).
2. To understand the types of records the Tax Division maintains, please see the Component Description above. Individuals seeking records primarily maintained by the Internal Revenue Service, like Forms 1040 or other IRS forms filed with the Service, should submit their FOIA requests in writing to the Internal Revenue Service. See www.irs.gov/foia. The Tax Division does not: (1) process FOIA requests on behalf of the Service, (2) handle general or specific inquiries pertaining to identity theft pertaining to tax returns. See, <http://www.irs.gov/Individuals/Identity-Protection> for information about identity theft inquiries.

Publicly available information for which a FOIA request is not required:

[Criminal Tax Manual](#), [Judgment and Collection Manual](#), [Settlement Reference Manual](#), [Summons Enforcement Manual](#), and the log of [FOIA requests](#) made during fiscal year 2009.

Please click on the links above to access any of these documents, and note that each link goes to the Electronic Reading Room.

[Major Information Systems](#)

[Former Assistant Attorneys General](#)



Updated October 12, 2016

Was this page helpful?

Yes No

Lindsey Kent Springer
Reg. # 02580-063
Federal Transfer Center
P.O. Box 889801
Oklahoma City, Oklahoma 73189

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 Clerk Of Court
 Northern District of OKla
 333 W 4TH ST
 Tulsa, OK 74103
 United States

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NOV 18 2019

Mark C. McCart, Clerk
 U.S. DISTRICT COURT

9-CR-143-SPF

FTC Oklahoma City
7500 S. MacArthur Blvd.
P.O. Box 8801
Oklahoma City, OK 73189-8801

DATE: **NOV 15 2019**

"The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has neither been opened nor inspected. If the writer raises a question or problem over which this facility has jurisdiction, you may wish to return the material for further information or clarification. If the writer encloses correspondence for forwarding to another addressee, please return the enclosure to the above address."

JIBSON, CASE MANAGER